IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

Bail Appl..No. 7076 of 2007()

CRIME NO. 63/06 OF KAYAMKULAM EXCISE RANGE
CMP.2223/2007 of J.M.F.C.-II, HARIPAD

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PETITIONER : ACCUSED:

ANIL AGED 28 YEARS, S/O.KUTTAPPAN
OTTATHENGU VEEDU, PATHIYUR KIZHAKKUM MURI,
PATHIYUR VILLAGE, KARTHIKAPALLY TALUK.

BY ADV. SRI.K.JAISHANKAR

RESPONDENTS: COMPLAINANTS:

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1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA AT ERNAKULAM.

2. EXCISE INSPECTOR, KAYAMKULAM EXCISE RANGE.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 7076 of 2007

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Dated this the 20th day of November, 2007

O R D E R

Application for regular The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 30 litres of spirit on 11.6.2007. He later surrendered on 25.9.2007 and he continues in custody from that date. A period of 60 days is about to elapse, but the final report has admittedly not been filed by now.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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